

THAW JURY MADE OF GOOD TIMBER

All the Men in the Body Are
Representative of Business Interests.

DEFENDANT IS IMPATIENT

He is Anxious Ostensibly to Have
His Fate Soon Decided by
His Peers.

MAY BE SOME JURY CHANGES

Fear That the Body Will Not Be Permitted to Remain Intact—
Character of the Talemens—
Few Are Liquor Men.

Thaw Jury Complete.

NO. 1—DEMING B. SMITH, retired manufacturer of umbrellas, who lives at 233 West 111th street. He is married, and about fifty years old.
NO. 2—GEORGE PFAFF, hardware dealer, 122 Center street. He lives at 617 West 128th street, is married, and is about forty years old.
NO. 3—CHARLES H. FECKE, manager of one department of the Cunard line. He lives on 135th street, and is about forty-five years old.
NO. 4—OSCAR A. PINK, forty-five years old, a salesman for a hay and grain house; lives at 477 West 145th street. He is married, and once served as juror in a capital case.
NO. 5—HENRY C. HARNEY, manager of a piano warehouse, lives on Brook avenue and 132d street; he is well toward sixty years old.
NO. 6—HARRY C. BREALEY, thirty-five years, an advertising agent, with an office at 17 State street, and a residence at 167 East Sixty-fifth street; he is married.
NO. 7—MALCOLM P. FRASER, a clothing salesman, of 42 West 125th street; he is about thirty-eight years old, and is married.
NO. 8—CHARLES D. NEWTON, a retired railway employee in a clerical department; he is about thirty years old, lives at 238 West 134th street, is married, and is a brother of Gen. Newton, the United States army engineer, who superintended the blasting of the Hell Gate passage in the East river.
NO. 9—WILBUR F. STEELE, a manufacturer of gas fixtures; he is about fifty years old; lives at 429 West 131st street, and is married.
NO. 10—JOHN S. DENNKE, traveling agent for the Southern railroad. Mr. Dennee has an office at 271 Broadway, lives at 217 East 23d street, and is married.
NO. 11—JOSEPH H. H. TON, about fifty years old, of 118 Boston road, is married, and is employed as clerk in a dyeing establishment.
NO. 12—BERNARD GERSTMAN, manager for the Girard Company, at 346 Broadway; he is married, and about thirty-two years old, and lives at 49 East 35th street.

Special Dispatch to The Star.

NEW YORK, February 2.—With twelve men selected to try Harry K. Thaw for the killing of Stanford White, and the prospect that the presentation of the case by the district attorney will be even briefer than had been expected, the lawyers for the defense were busy today rounding up all the mass of evidence that is to be presented for the prisoner. Just before court closed yesterday Mr. Jerome announced that the prosecution would probably open and close at the first session on Monday. It is planned to call an initial witness, and then Mr. Garvan will lay the people's case before the jury in a very short address.

Following this will come the witnesses to the shooting on the Madison Square roof garden on the night of June 23. They will take no more time to tell their stories than was consumed at the coroner's inquest, except that the defense may cross-examine to a greater extent. The length of time that the district attorney will take in rebuttal depends entirely on the evidence submitted by the defense.

Even after the selection of the full jury there were still rumors that it might not be allowed to stand as at present composed, and some color was lent to this rumor from the fact that the jury was not sworn as a body last evening, and the talesmen who had not been examined were told to return on Monday.

The jurors are a substantial-looking lot of men. Most of them are bordering on middle age, and three are under forty. Nearly all of them have served in criminal cases before, but only two have sat in the box at trials where the prisoners were charged with capital crimes.

All Jurors Married.
All are married. Two of the jurors are retired. The others are in active business. During the long examination of the last men who were to take seats beside them, the men already in the box, for the most part, kept their eyes on the talesmen in hand and made no comment to fellow members. In the calling of talesmen it was noticed that a great percentage of them were engaged in the real estate business. For a day or two the insurance men had a call, but soon they fell far in the minority. It was remarked, too, with some surprise that a large number of talesmen announced themselves as retired from business. Al-

though they appeared hardly beyond middle age, and seemed good for at least twenty years to come.

Of the 396 talesmen who were examined not a half-dozen were in the liquor business. A good many were artists or architects or in some business bordering on these callings. Invariably these men were excused. There was only one undertaker called, and he was excused as soon as his business was announced and before he had taken the oath.

A New Witness.

So far as known, the only new witness that will be called as to the shooting will be Halsey Warren, a Herkimer county man, who was on the roof garden on the night of the shooting, and, according to his own story, sat at the table adjoining the one where Stanford White was shot. The other witnesses will be employees of the roof garden, the manager of the musical production that was being presented, the fireman who first accosted Thaw after the shots were fired and took the revolver away from him, the policeman who made the arrest and one or two others.

That the defense will be that Thaw shot White while he was suffering from emotional insanity there seems to be no doubt. In the last days of the examination of the talesmen no reference was made to the "unwritten law" or the "higher law," although Mr. Jerome referred to it almost constantly during the examinations of the first men who took the witness chair. From a question asked yesterday by Mr. Gleason, for the defense, it looked as if Thaw's lawyers would offer testimony to show that Thaw might have been insane at the time



Mae McKenzie.

Who will be a witness for Thaw. (Photo by Underwood & Underwood, New York.)
he shot White and then place the burden of proving that he was sane upon the district attorney. Mr. Gleason's question was: "If the court should charge you, after the defense had submitted testimony to prove insanity at the time of the act, that the prosecution must prove beyond a reasonable doubt that the defendant was sane at the time, would you accept the court's charge?"

This question, which had evidently been prepared with some care and which was read from a notebook, was objected to immediately by Mr. Jerome and was overruled, but it left little doubt as to the line of the defense.

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Thaw's lawyers have been reticent all along as to what part any of them may take at the actual trial. It has been said that Delphin Michel Delmas of California would do most of the examining of witnesses and that he would sum up for the defense. Mr. Delmas came here heralded by a record of successes in criminal cases and by a reputation as an effective orator before a jury. He has not said a word in open court yet, and there was a good deal of speculation today as to how he would show up when it came his turn.

It was declared by counsel for the defense this morning that Thaw, the members of his staff and the members of the jury were busy today rounding up all the mass of evidence that is to be presented for the prisoner. Just before court closed yesterday Mr. Jerome announced that the prosecution would probably open and close at the first session on Monday. It is planned to call an initial witness, and then Mr. Garvan will lay the people's case before the jury in a very short address.

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AT THE WHITE HOUSE

PROBABLE AMENDMENTS TO THE DENATURED ALCOHOL BILL.

Representatives Hill and Marshall discussed with the President today the amendments that are desired to perfect the denatured alcohol bill passed at the last session. The President showed himself in sympathy with the demand for some changes in the present law, and expressed the hope that Congress would enact the legislation which experience has shown is necessary. The existing law and regulations do not give the farmer the chance to manufacture alcohol, that was originally intended. They really throw the business into the hands of capitalists or persons having capital of several thousands of dollars. The amendments it is proposed to make will enable the farmer, on a capital of a few hundred dollars, to establish his own plant and make alcohol for his own use as well as for sale. The German farmers have their own plants, using their own potatoes, and are not depending upon combinations and corporations for their supplies.

Invited to Attend Local Function.

Invitations to attend local functions were extended to the President today by two delegations. Rev. Zed H. Copp, Mrs. Clinton Smith and John R. Maloney asked the President to attend the mass meeting to be held in the interest of temperance and moral reform Sunday afternoon, February 10, at 8 o'clock, in the Belasco Theater. The President said he could not go, but would write a letter.

The President was also invited to attend the fortieth anniversary exercises of Howard University and the inauguration of President Wilbur P. Third April 2. He was not able to accept. The invitation was extended Justice Peelle of the Court of Appeals, Justice Brandeis of the Supreme Court of the District and President Thirkield, members of the board of trustees.

Collector at Kansas City.
Senator Warner has recommended the nomination of Charles G. Burton as collector of internal revenue at Kansas City, Mo., to succeed Charles W. Roberts, who was filling out the unexpired term of his late brother, Senator Warner, and there await President today in connection with the position.

Representative Babcock saw the President today and among other things mentioned the fact that it was expected that the House would today pass the tuberculosis bill. This is one of the measures in which the President is much interested.

Simons, the newly-elected senator from Colorado, paid his respects to the President today. Mr. Guggenheim will be the smallest man in the Senate in stature.

Regretted He Could Not Accept.
President Roosevelt was today invited by a committee of the Pennsylvania Society of America to attend the banquet of the meeting of the General Court of that organization in Philadelphia on the 13th of May. Admiral George Dewey, the governor-general of the order, headed the committee, which also included Rev. Charles Wadsworth, Jr., George B. Woodman, Charles W. Sparhawk and Edward L. Perkins, all of Philadelphia. The President regretted that he could not accept the invitation.

One Killed; Six Injured.

TERRE HAUTE, Ind., February 2.—One person was killed and six injured near Linton today by the explosion of a ton of powder and a thousand pounds of dynamite.

Retirement of Chaplain Steward.
Chaplain Theophilus G. Steward, 25th Infantry, has been ordered to proceed to his home at Wilberforce, Ohio, and there await retirement "for the convenience of the government."

Chaplain Steward was born in New Jersey in April, 1843, and was appointed from the District of Columbia chaplain of the 25th Infantry in July, 1891. He is a graduate of the West Philadelphia (Pa.) Divinity School, and will reach the statutory retiring age next April. He has the rank of captain.

IN GRIP OF COLD WAVE

EXPECTED PRECIPITATION OF THIS CITY TOMORROW.

The black flag is flying this afternoon at the weather bureau on 24th street. It means, in plain English, that Washington will be in the grip of a cold wave tomorrow.

A fall of twenty-five degrees in the temperature here is expected by tomorrow evening, according to the evidences on the weather map as read this afternoon by Prof. Edward B. Garriott, one of the official forecasters. Preceding the coming of the cold wave there will be some rain or snow tonight, the professor added, and when the clouds clear away tomorrow the mercury in the thermometers will, it is believed, go down to 15 degrees above zero.

Almost north pole coldness is said to be prevailing in the west and northwest, and the streak of frigidity is rushing this way and is expected to arrive on schedule time tomorrow. It is the expectation that the general cold wave will extend over the Ohio valley, the lake region and the Mississippi valley tonight and come frizzling into Washington tomorrow and thence proceed southward.

The temperature here this morning was 34, or 2 degrees above the freezing point.

Col. Geo. E. Pond to Be Retired.

At the expiration of his present leave of absence Col. George E. Pond, assistant quartermaster general, recently stationed at the War Department, will be placed on the retired list at his own request with the rank of brigadier general. He is from Connecticut and served as a private in the 21st Connecticut Volunteer Infantry during the civil war. He was graduated from the Military Academy in June, 1872, and was attached to the 2nd Cavalry until October, 1883, when he was transferred to the quartermaster's department. He has held the rank of colonel since January, 1904.

His retirement will promote to the next higher grade Lieut. Col. James W. Pope, Maj. J. B. Bellinger and Capt. Thomas Swobe.

Marines Going to Cuba.

Gen. Elliott, commandant of the Marine Corps, has arranged for the transportation of 200 marines to Cuba by the first available transport sailing from Newport News, to take the places of an equal number of short-term marines who are to be brought home.

Death of Representative Flack at Malone, N. Y.

MALONE, N. Y., February 2.—William H. Flack, representing the St. Lawrence, Franklin, Clinton, Essex district, died at his home in this village after a long illness today. He had been unable to attend the present session of Congress. Mr. Flack was serving his second term in Congress. He was elected to the Fifty-eighth Congress and re-elected to the Fifty-ninth. He had lived for nine years in Malone, coming here from St. Regis Falls. He was chairman of the Franklin county republican committee.

William Henry Flack was born at Franklin Falls, Franklin county, N. Y., March 22, 1861. He was educated in the public schools, and later became interested in the lumbering and tanning business. He took an interest in public affairs early in life, and was elected supervisor of the town of Waverly for seven years and chairman of the board for two years. In 1897 he was elected county clerk of Franklin county, and re-elected in 1900. In politics he was a republican, and was honored by his party with the chairmanship of the republican county committee from 1898 to 1902. He served as trustee of the village of Malone and was elected president of that village in 1902. He was elected to the Fifty-eighth Congress and re-elected to the Fifty-ninth. He was married to Katharine M. Lynch, and two sons, Daniel W. and William H. Flack, were born.

Representative Grosvenor of Ohio.
The death of his colleague, William H. Flack, of the twenty-sixth New York district, and presented resolutions directing the Speaker to appoint a committee of fifteen members to attend the funeral and that the sergeant-at-arms arrange for their transportation to and from the home of the deceased in Malone, N. Y., and at the close of the exercises attendant upon the eulogies to the late Senator Gorman that the House adjourn.

ATTEMPT AT SUICIDE

MRS. MCCOMAS, FOLLOWING LONG ILLNESS, CUTS HER THROAT.

A hurry call was received at the Emergency Hospital this morning about 8:30 o'clock, and Dr. Sheep proceeded with the ambulance to the residence of Edward M. McComas, the druggist, 1406 L street. He found that Mrs. Florence A. McComas, wife of her husband, had attempted suicide by cutting her throat with a razor. Dr. Hobart S. Dye, who has an office in the McComas house, happened to be in his office when the wounded woman was found lying upon the floor of the bath room and he was able to give her temporary treatment before she was taken to the hospital.

Mrs. McComas had used the weapon with telling effect, making an ugly gash from ear to ear. The wound was severe, but the blade of the razor had missed the jugular vein. When Dr. Dye reached her she was gasping for breath and it was feared that she would die before the hospital was reached. The physician was able to stop the flow of blood, however, and she was cared for so well that she was in a fairly good condition when she reached the hospital and the attending surgeons think she may recover.

It is stated that Mrs. McComas suffered an attack of typhoid fever and was confined to her bed for about three months. She was warned by her physician and nurse that she would have to keep quiet and take good care of herself for a long time, but she was not content to remain quiet, for shortly after the nurse was discharged she resumed her household duties.

Too Much of a Task.

The work proved too much of a task for her, and her physical and mental condition indicated that she might suffer a relapse. She had become a nervous wreck, it is explained, her strength not being sufficient to assist her in warding off nervousness. Her husband never suspected, however, that she had any idea of ending her life, and he was greatly shocked this morning when he realized what she had done.

To Dr. Sheep of the Emergency Hospital Mrs. McComas said: "There's no use of my living; I want to die."

Drs. Vaughn and Sheep took charge of the patient at the hospital. She was placed upon the operating table as soon as the institution was reached, and the terrible wound in her throat was closed. Later she was sent to a room, where she will probably remain for several days.

Mrs. McComas was formerly in the drug business at 14th and L streets, but he is now in business at 12th and H streets. He is from Hagerstown, Md., having come to this city a number of years ago.

AFTER A LONG ILLNESS.

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The Speaker appointed the following members of the committee: Messrs. Sherman, Latta, Knapp, Draper, Driscoll, Fessenden, Ryan, Fitzgerald, and Goulden of New York, Grosvenor of Ohio, Minor of Wisconsin, Watson of Indiana, Howland of New Jersey and Reynolds of Pennsylvania.

WHITE'S DEATH REGRETTED.

Suicide of Young Student Casts Gloom Over School.

Special Dispatch to The Star.
LOS ANGELES, Cal., February 2.—The suicide of young Andrew D. White, the grandson of Andrew D. White, former ambassador to Germany, has cast a gloom over Thatcher School, at Nardhoff, where White was a student and where he was very popular. The only reason that his fellow-students can give for his act is that he was working extremely hard to prepare for his examination for Yale University, where he hoped to enter next year, and that overstudy unbalanced his mind.

Young White shot himself in his room at Thatcher School yesterday afternoon. As one of the instructors in the school was passing the boy's door he heard two sharp reports. He forced the door open and found White unconscious, with two bullet wounds in his head. White was rushed here on a special train, but died on the way.

The boy's mother, Mrs. Frederick D. White, lives in Syracuse, N. Y. His father committed suicide in 1900. Young White was only nineteen years old, and was regarded as one of the cleverest students at Thatcher School.

INDIAN BILL TAKEN UP.

Consideration of the Measure Begun by the Senate.

The Senate today began consideration of the Indian appropriation bill, carrying more than fourteen million dollars. Many amendments were reported by the Senate committee to the House bill, and the reading of the bill for the adoption of these was ordered. Unimportant amendments were agreed to, but many were passed over for discussion. Among these were the amendments affecting citizenship and property rights of the Five Civilized Tribes, involving the removal of restrictions for the alienation of lands and the sale and leasing of mineral lands. It is expected the amendments will be taken up for many days.

The first amendment reached, which conferred jurisdiction on the Court of Claims to hear and report findings of fact to Congress concerning claims based upon Indian treaties or acts of Congress diminishing Indian reservations, brought into the discussion the question of the Indian land school, which has just taken its seat. Senator Keane had given notice of a point of order against the amendment, but withdrew it, and Mr. Curtis said he would make the point. The amendment was ruled out on Mr. Keane's point of order.

When the amendment that "no Indian agent shall be an army officer" was reached, Mr. Keane remarked: "That's an old friend of mine. I've seen it a number of times against it." As it was ruled out, Mr. Clapp, chairman of the Senate committee, said: "We've seen it a number of times against it, as we have got rid of all of them."

MR. OLIVER CALLS.

Found Mr. Shonts Was Away—Conferred With None of the Officials.

William J. Oliver of Knoxville, Tenn., the lowest bidder for the Panama canal contract, called today to talk with Chairman Shonts about the contract, but Mr. Shonts is in New York and Mr. Oliver did not confer with any of the commission officials who are in the city.

Mr. Oliver said that he was ready to comply with the requirement suggested by the association of two contractors who were associated with him in the proposed contract. Mr. Oliver would not give the names of these contractors, and said that these would probably be made public by Mr. Shonts. Mr. Oliver said he had seen Mr. Frederick C. Stevens, who has recently been identified with two great canal enterprises, involving the expenditure of three or four hundred millions of dollars, called at the White House this morning. He had a long talk with the President, presumably about the Panama canal contract, but Mr. Stevens refused to say a word about it.

"It's everything in this dual relation of yours, Mr. Stevens, that will cause friction at any point," the commissioner of public works for the state of New York was asked.

"What do you mean? What are you talking about?" said Mr. Stevens.

"In your being connected with two great projects, one under the state of New York and the other under the government."

"Nothing whatever to cause friction. In the one case I am commissioner of public works, a state officer; in the other I am a banker, a financier."

ELEVEN PASSENGERS HURT.

Train Crashes Into Engine Near Conemaugh, Pa.
JAMESTOWN, Pa., February 2.—While the first section of train 22 Manhattan limited was speeding east over the Pennsylvania railroad early today it ran into an empty engine near Conemaugh. Eleven passengers asleep in their berths were injured and four trainmen were hurt. The injured passengers, all of whom suffered sprain of either neck or back or both, owing to the sudden stop of the train, which threw them against the end of the berths, are as follows:

Wm. F. Henry, New York; T. F. Martin, Washington, D. C.; C. H. North, Chicago; W. E. Newbert, Chicago; W. E. Webb, New York; Eleanor Borroughs, Cleveland, Ohio; J. R. Stout, Princeton, N. J.; Mr. and Mrs. A. L. Abraham, Duluth, Minn.; J. Uman, Philadelphia; John Weaver, New York.

The trainmen hurt were Engineers Bond and George and Firemen McKee and Williams. They were removed to the hospital.

Inventor Edison Not Ill.

NEW YORK, February 2.—Inquiry at the home of Thomas A. Edison in Orange, N. J., today elicited a denial of the reports in circulation that Mr. Edison is in bad health. It was also denied that Mr. Edison had gone to Atlantic City.

Weather.

Rain tonight, possibly turning into snow tomorrow morning; decidedly colder tomorrow.

JAPANESE WAR SCARE

Slowly Petering Out Even at the White House.

ALL IS TOMFOOLERY TALK

According to Senator Cullom, Senate Chairman of Foreign Relations.

WORKING PRESIDENT'S WAY

Will Gain a Battleship, Better Coast Defenses and a New Treaty More Acceptable.

The Japanese war scare is slowly petering out, even around the precincts of the White House, where, California congressmen declare, originated in remarks made to them by the President.

Congressmen of various degrees of information as to our foreign relations continue to keep cool and pool-pool any thought of war with Japan even in the near future or for a good many years to come. Their views were well illustrated by the remarks of the venerable head of the foreign relations committee of the Senate, Senator Cullom of Illinois. Talking to a Star reporter today, after he had seen the President, he said:

"All this talk is tomfoolery of the worst sort. Why should anybody think we will get into a war with Japan? The school question in San Francisco should certainly not be the cause of any war. What we want to do is to sit easy and pay no attention to this whole thing."

"If Japan wants to get offended and go to war, we can, of course, defend ourselves. But Japan will do nothing of the kind. The cause is not sufficient, even if San Francisco fails to yield to the demands that Japanese children be permitted in the public schools there along with white children. It is not to be considered for an instant that Japan is so easily worked into a lather that she should want trouble with the United States over this or any other question of such small importance."

All Working the President's Way.

One interesting fact is admitted as a consequence of all the talk. The President will probably gain three things by the scare that has been thrown into some portions of the country. The first will be material increases in the fighting strength of the United States, including another tremendous battleship, together with better coast defenses in the island possessions and Pacific coast.

The second will be a climbing down of the San Francisco school authorities from their high position and less rigid anti-Japanese provision in the school regulations, and the third will be to frighten the Japanese into a more reasonable attitude toward the Pacific coast than those of the present treaty.

Nothing could have happened, it is admitted, that will play more into the purposes of the President than the talk that has been started and kept up.

White House authorities say nothing about the printed stories except that they are greatly exaggerated so far as the real facts are concerned. The President has been informed that the San Francisco school board will be in this city for a conference with him the last of the coming week, and he is expected to be present. It is said, substantially what he has told the California delegation in Congress.

No Statement From Secretary Root.

Secretary Root positively refuses to make any statement touching the Japanese situation in its relation to the conferences which took place at the White House Wednesday evening. He is reported to be repeatedly unsolicited for public discussion at this time.

The Japanese ambassador is not accessible to newspaper reporters, but he has not authorized any newspaper statement on this subject.

The fact is that a statement in the press cable dispatches ascribed to Baron Hayashi, the Japanese minister for foreign affairs, that he would support the Japanese position in the matter of discrimination against Japanese would require diplomatic treatment. In some quarters erroneous attribution to Secretary Root, who has been put in the position of stating that he had received an ultimatum from the Japanese minister for foreign affairs, Mr. Root denies that he has received any such communication and careful inquiry fails to show that the alleged remark of Baron Hayashi has ever been communicated officially to this government.

It was said that the Navy Department today as an evidence of the slight importance attached by naval officers to the present discussion of Japanese relations, that there was not the slightest intention on the part of the department of strengthening the United States naval force on either side of the Pacific.

Not Regarded as Serious.

BERLIN, February 2.—The foreign office, which naturally takes the greatest interest in the questions being discussed between the United States and Japan, does not regard the differences as having reached a serious point. The Japanese embassy treatment in some quarters erroneous attribution to Secretary Root, who has been put in the position of stating that he had received an ultimatum from the Japanese minister for foreign affairs, Mr. Root denies that he has received any such communication and careful inquiry fails to show that the alleged remark of Baron Hayashi has ever been communicated officially to this government.

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Not Regarded as Serious.

Dismissing telegrams sent out widely early in the forenoon by the ticker-news company had a depressing influence on the bourse.

The Japanese government, apparently, did not buy any more military supplies in Germany during recent months. Japan did purchase some Krupp guns a year ago to replace guns which were worn out as a result of the war with Russia. It is also learned here that Japan bought a considerable quantity of naval munitions in England, but this intelligence is not of recent date.

JAPANESE BONDS DECLINE.

Rumors of Trouble With America Affect Berlin Market.

BERLIN, February 2.—The Vossische Zeitung's bourse report today says: Prices on the bourse today were depressed on account of the dispute which has arisen between the United States and Japan, which is regarded here and in London as being very serious. The lower quotations of Japanese bonds in London caused a similar decline in Berlin.

Japanese 4½ per cent fell over three-quarters of a point, but recovered partly after the close of the bourse.